

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (Lodg.) NO. 1469 OF 2007

Haji Ibrahim Gulam Nabi Shaikh.. Petitioner.
Versus
The State of Maharashtra & Ors..... Respondents.

Mr.Kamal Khata i/by Mr. M. A. Khan for the Petitioner.
Mr. R.M.Kadam, Advocate General with Mr.K.R.Belosey,
Off.Govt.Pleader for the State.

**CORAM : SWATANTER KUMAR, C.J. &
SMT.RANJANA DESAI, J.**

DATED : 17TH JULY, 2007.

P.C.:

After some arguments and particularly when it was submitted on behalf of the State by the learned Advocate General that the Government has yet not taken any final decision, however, it may exercise its power as contemplated under Section 21(2) of the Haj Committee Act, 2002, learned Counsel appearing for the petitioner submits that the petitioner would be satisfied at this stage, if he is permitted to withdraw this writ petition with liberty to make representation in regard to the averments made in the writ petition as well as informing the Government that no election as contemplated under Section 21(1) of the

Act was held on 13th July, 2007, in the first meeting, in furtherance to the notice issued by the Government dated 9th July, 2007.

2. In view of the above circumstances and the stand taken by the respective parties, it is not necessary for us to go into any further detail of the merits or otherwise of the contentions raised in the present writ petition. We dispose of this petition at this stage itself while giving liberty to the petitioner to make his representation within one week from today, which shall be considered by the State Government before exercising its power under Section 21(2) of the Act, if not yet exercised.

3. We make it clear that it will be open to the State Government Authority to invite the petitioner, if in its discretion it is so required.

4. Writ Petition is disposed of with the above liberty to the petitioner. No order as to costs.

Sd/-

CHIEF JUSTICE

Sd/-

SMT.RANJANA DESAI, J.